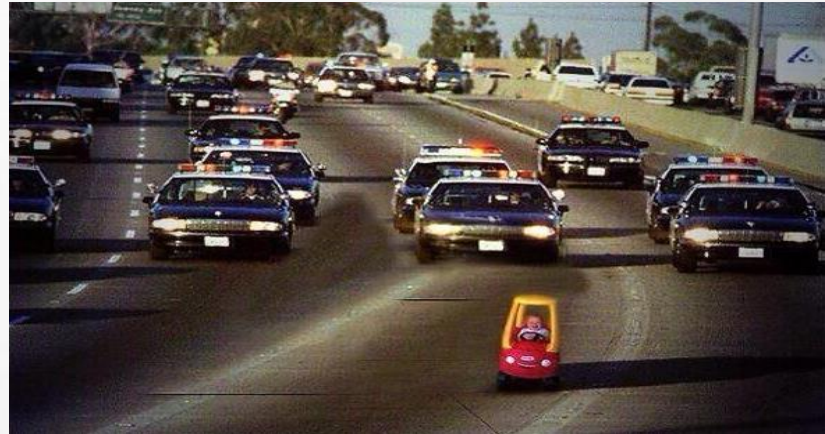


***PURSUIT DRIVING***  
***“WHEN TO PURSUE AND***  
***WHEN NOT TO PURSUE”***



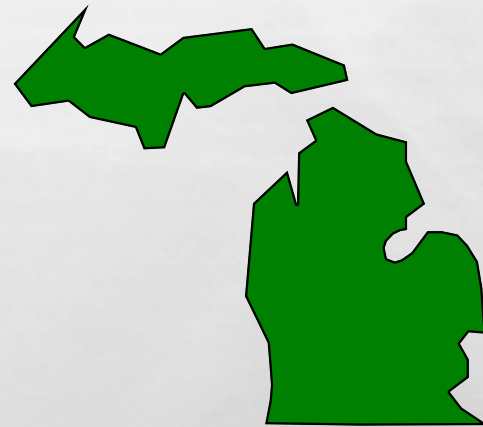
# OBJECTIVES

- **DEFINE “VEHICULAR PURSUIT”**
- **LIST THREE (3) FACTORS TO CONSIDER BEFORE ENGAGING IN A PURSUIT**
- **IDENTIFY UNIT ROLES AND RESPONSIBILITIES DURING A PURSUIT**
- **DETAIL FIVE (5) SAFETY CONSIDERATIONS OFFICERS FACE DURING A PURSUIT**
- **RECOGNIZE REASONS AND WAYS TO TERMINATE A PURSUIT**
- **IDENTIFY PURSUIT STRESS/RAGE AND METHODS TO OVERCOME IT**



# **HIGH SPEED PURSUITS**

- **MICHIGAN CITY LIABLE FOR \$3.8 MILLION**
- **POLICE OFFICERS WERE IN PURSUIT OF A VEHICLE, BUT DID NOT HAVE THEIR LIGHTS AND SIRENS IN OPERATION. THEY STRUCK AN INNOCENT THIRD PARTY VEHICLE FRACTURING THE NECK A PASSENGER**



# HIGH SPEED PURSUIT

- **NEW YORK JURY AWARDS \$104 MILLION**
- **POLICE GAVE CHASE IN EMERGENCY MODE. ONE POLICE VEHICLE STRUCK A BUS DURING THE PURSUIT. A WOMAN AND HER 10 MONTH OLD SON WERE CAUGHT BETWEEN VEHICLES AND WERE SEVERELY INJURED**



# **HIGH SPEED PURSUIT**

- **NEW JERSEY JURY AWARDS \$3.65 MILLION**
- **POLICE BEGAN A 70 MPH PURSUIT OF A VEHICLE WHO FAILED TO DIM ITS BRIGHT LIGHTS. THE POLICE VEHICLE STRUCK A VEHICLE ALMOST HEAD-ON AFTER PASSING THROUGH AN INTERSECTION AGAINST A RED LIGHT. THE 7 YEAR OLD WAS SEVERELY INJURED AND BOTH HIS PARENTS WERE KILLED**



# *KENTUCKY V. ALEXANDER*

5 S.W.3D 104 (1999)

- **OFFICER WAS RESPONDING TO AN EMERGENCY CALL WITH LIGHTS AND SIREN ACTIVATED (OFFICER WAS UNAWARE THAT EMERGENCY HAD BEEN CALLED OFF)**
- **OFFICER APPROACHED INTERSECTION AT 95-100 MPH**
- **VICTIM DID NOT STOP AT STOP SIGN BEFORE TURNING ONTO THE STREET OFFICER WAS APPROACHING**
- **OFFICER CRASHED INTO VICTIM'S CAR**
- **COURT FOUND THAT EXCESSIVE SPEED CAUSED CRASH AND OFFICER WAS CONVICTED OF RECKLESS HOMICIDE**

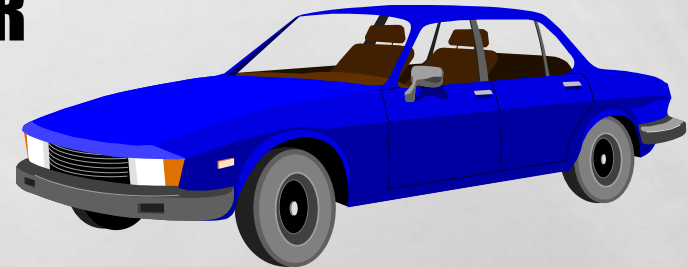
# HAYNES V. HAMILTON

- **OFFICER OBSERVED VEHICLE WITH NO TAILLIGHTS.**
- **VIOLATOR ACCELERATED TO 55 MPH IN 45 MPH ZONE AS IT PASSED A CAR.**
- **OFFICER ENGAGED EMERGENCY EQUIPMENT.**
- **VIOLATOR INCREASED SPEED TO 100 PLUS MPH.**
- **OFFICER AND VIOLATOR PASSED A NUMBER OF CARS, BOTH ON-COMING AND VEHICLES IN THE SAME LANE OF TRAVEL.**
- **OFFICER SLOWED WHEN ENCOUNTERING HEAVY TRAFFIC ABOUT THREE MILES INTO THE PURSUIT.**
- **VIOLATOR STRUCK A ONCOMING VEHICLE HEAD-ON AS THREE TEENAGERS WERE KILLED.**

- **COURTS RULING:** It was unreasonable, unnecessary and grossly negligent for the Sheriff's deputy to continue to pursue the Defendant Gilliam at speeds in excess of 100 miles per hour given the conditions existing on the highways at the time and further given the ability of law enforcement agencies to take other more appropriate means to intercept and stop the Defendant Gilliam, any of which procedures would have been more appropriate than the high speed chase which resulted in the death of three individuals.

# PURSUIT - DEFINITION

- **AN ATTEMPT BY A PEACE OFFICER, IN AN EMERGENCY VEHICLE, IN EMERGENCY MODE, TRYING TO APPREHEND A PERSON IN ANOTHER MOTOR VEHICLE WHO IS WILLFULLY FAILING TO STOP**





# IC 9-21-1-8

- **(A) THIS SECTION APPLIES TO THE PERSON WHO DRIVES AN AUTHORIZED EMERGENCY VEHICLE WHEN:**
  - **(1) RESPONDING TO AN EMERGENCY CALL;**
  - **(2) IN THE PURSUIT OF AN ACTUAL OR SUSPECTED VIOLATOR OF THE LAW; OR**
  - **(3) RESPONDING TO, BUT NOT UPON RETURNING FROM, A FIRE ALARM.**
- **(B) THE PERSON WHO DRIVES AN AUTHORIZED EMERGENCY VEHICLE MAY DO THE FOLLOWING:**
  - **(1) PARK OR STAND, NOTWITHSTANDING OTHER PROVISIONS OF THIS ARTICLE.**
  - **(2) PROCEED PAST A RED OR STOP SIGNAL OR STOP SIGN, BUT ONLY AFTER SLOWING DOWN AS NECESSARY FOR SAFE OPERATION.**
  - **(3) EXCEED THE MAXIMUM SPEED LIMITS IF THE PERSON WHO DRIVES THE VEHICLE DOES NOT ENDANGER LIFE OR PROPERTY.**
  - **(4) DISREGARD REGULATIONS GOVERNING DIRECTION OF MOVEMENT OR TURNING IN SPECIFIED DIRECTIONS.**
  - **(5) EXECUTE A LAWFUL INTERVENTION TECHNIQUE IF THE PERSON HAS COMPLETED A TRAINING COURSE THAT INSTRUCTS PARTICIPANTS IN THE PROPER EXECUTION OF LAWFUL INTERVENTION TECHNIQUES.**
- **(C) THIS SECTION APPLIES TO AN AUTHORIZED EMERGENCY VEHICLE ONLY WHEN THE VEHICLE IS USING AUDIBLE OR VISUAL SIGNALS AS REQUIRED BY LAW. AN AUTHORIZED EMERGENCY VEHICLE OPERATED AS A POLICE VEHICLE IS NOT REQUIRED TO BE EQUIPPED WITH OR DISPLAY RED AND BLUE LIGHTS VISIBLE FROM IN FRONT OF THE VEHICLE.**
- **(D) THIS SECTION DOES NOT DO THE FOLLOWING:**
  - **(1) RELIEVE THE PERSON WHO DRIVES AN AUTHORIZED EMERGENCY VEHICLE FROM THE DUTY TO DRIVE WITH DUE REGARD FOR THE SAFETY OF ALL PERSONS.**
  - **(2) PROTECT THE PERSON WHO DRIVES AN AUTHORIZED EMERGENCY VEHICLE FROM THE CONSEQUENCES OF THE PERSON'S RECKLESS DISREGARD FOR THE SAFETY OF OTHERS.**

# EMERGENCY

- **HIGH PROBABILITY OF DEATH OR SERIOUS BODILY INJURY**
- **HIGH PROBABILITY OF SIGNIFICANT OR SUBSTANTIAL PROPERTY DAMAGE**

# **HOW PURSUIT DRIVING IS DIFFERENT**

- **FORCED TO MAKE SPLIT-SECOND CRITICAL DECISIONS**
- **YOU MUST KEEP ANALYZING CHANGING CONDITIONS**
- **OFFICER(S) HAS LITTLE OR NO CONTROL OVER THE PURSUIT SITUATION**
- **SUSPECT/VIOLATOR INITIATES PURSUIT**

# **PURSUIT CONSIDERATION**

- **HIGH PROFILE**

- **WE MUST REGULATE OUR BEHAVIOR DURING PURSUITS WITHIN THE PARAMETERS OF STATE LAW AND DEPARTMENT POLICY TO ENSURE SAFETY TO ALL PERSONS AND PROPERTY AFFECTED.....**

- **HOW ?**

- **BETTER TRAINING, OPTION AVAILABILITY FOR OFFICER'S INVOLVED, BETTER RISK MANAGEMENT.....THIS EQUALS SAFE TERMINATION**
- **BETTER APPLICATION OF STANDARDS AND TERMINOLOGY**
  - **GRAHAM VS. CONNOR, 109 S. CT. 1989 USE OF FORCE**
  - **TENNESSEE VS. GARNER, 105 S. CT., 1985 USE OF LETHAL FORCE**
  - **CANTON VS. OHIO, 107 S. CT., 1987 FAILURE TO TRAIN**

- **CONSTITUTION**

- **4<sup>TH</sup> AMENDMENT - MOST COMMONLY FILED BY SUSPECT**
- **14<sup>TH</sup> AMENDMENT – MOST COMMONLY FILED BY THIRD PARTY**

# PURSUIT FACTS

- **FACTS:**
  - **50% OF ALL PURSUIT COLLISIONS OCCUR WITHIN THE FIRST TWO MINUTES**
  - **70% OF ALL PURSUIT COLLISIONS OCCUR BEFORE THE FIFTH MINUTE**
  - **83% OF ALL PURSUIT COLLISIONS OCCUR BEFORE THE SIXTH MINUTE**
- **400 PEOPLE KILLED; 20,000 INJURED EACH YEAR THROUGHOUT THE COUNTRY**



# IMPORTANCE OF PURSUIT POLICY

- **SHOWS WHAT IS EXPECTED FROM YOU**
- **LIMITS YOUR EXPOSURE TO DANGER**
- **REDUCES YOUR RISK OF LIABILITY**
- **LAW AND POLICY ARE NOT OPTIONAL EVEN IN A PURSUIT**
- **POLICY MUST BE BASED:**
  - **STREET REALITY AND NOT CUSTOM OF USAGE**
- **INCREASE OF “NO PURSUIT” POLICIES**
- ***KNOW AND UNDERSTAND YOUR S.O.P. GUIDELINES***

# USE OF FORCE?

- **OFFICER AND AGENCY EXPOSURE:**

- **WHEN TO USE FORCE?**

- **FORCE IS REASONABLE AND NECESSARY FOR:**

- **PREVENTION OF ESCAPE FROM LAWFUL CUSTODY**
    - **CUSTODIAL ARREST**
    - **INVESTIGATIVE STOP OR A PERSON REASONABLY SUSPECTED OF COMMITTING A CRIME**
    - **PREVENTION OF SOMEONE BEING INJURED**
    - **DEFENSE MECHANISM FOR AN OFFICER OR OTHER PERSON FROM AN ASSAULT**
    - **PHYSICAL RESISTANCE WHILE ATTEMPTING AN ARREST**

- **PURSUIITS FALL INTO ALMOST EVERY CATEGORY LISTED**

# **EVO LEVELS OF FORCE**

- **FIRST LEVEL OF FORCE**
  - **LIGHTS OR LIGHTS AND SIREN/OFFICER PRESENCE**
- **SECOND LEVEL OF FORCE**
  - **TIRE DEFLATION DEVICES**
- **THIRD LEVEL OF FORCE**
  - **VEHICLE CONTACT MANEUVERS**
- **FOURTH LEVEL OF FORCE**
  - **DEADLY FORCE**
    - **FIREARMS**
    - **RAMMING**

# NEGLIGENCE AND TORT

- **DEFINITION AND BASIS OF NEGLIGENCE:**
  - **DUTY OR OBLIGATION, RECOGNIZED BY THE LAW, REQUIRING THE PERSON TO CONFORM TO A CERTAIN STANDARD OF CONDUCT, FOR THE PROTECTION OF OTHERS AGAINST UNREASONABLE RISKS**
  - **A FAILURE ON THE PERSON'S PART TO CONFORM TO THE STANDARD REQUIRED IS A BREACH OF DUTY**
- **TORT**
  - **PRIVATE OR CIVIL WRONG AGAINST A PERSON FOR WHICH A COURT MAY AWARD MONEY**
  - **NEGLIGENCE MOST COMMON ALLEGATION**
  - **PLAINTIFF WILL TRY TO PROVE YOU WERE RESPONSIBLE FOR THEIR INJURY OR A SURVIVOR OR A DECEASED INDIVIDUAL**
  - **COMPENSATION THROUGH DAMAGES**

# PRIOR TO INITIATING A PURSUIT

- **YOU MUST ACKNOWLEDGE:**

- **DO I KNOW AND UNDERSTAND THE LEGAL AND AGENCY POLICY ON PURSUITS**
- **MUST CONSIDER ENVIRONMENTAL CONDITIONS**
- **MUST CONSIDER PATROL VEHICLE FACTORS**
- **MUST CONSIDER HUMAN FACTORS, INCLUDING:**
  - **ETHICAL FACTORS**
  - **“AM I CAPABLE OF A PURSUIT?”**
- **ALWAYS KEEP IN MIND, YOU DON'T KNOW HOW DANGEROUS THE SUSPECT(S) IS/ARE?**



# **DECISION TO PURSUE**

- **THE DECISION TO PURSUE A VIOLATOR IS A POTENTIAL LIFE-THREATENING SITUATION.**
- **THE MERE FACT THAT A VIOLATOR IS FAILING TO STOP FOR A LAW ENFORCEMENT OFFICER IS BY NO MEANS JUSTIFICATION TO ENGAGE IN A PURSUIT.**
- **COURTS HAVE REFERENCED THE FAILURE OF PURSUING OFFICERS TO CONSIDER THE RISKS POSED TO THE PUBLIC, THE VIOLATOR AND THE OFFICER WHEN INITIATING THESE PURSUITS.**

# INITIATING A PURSUIT

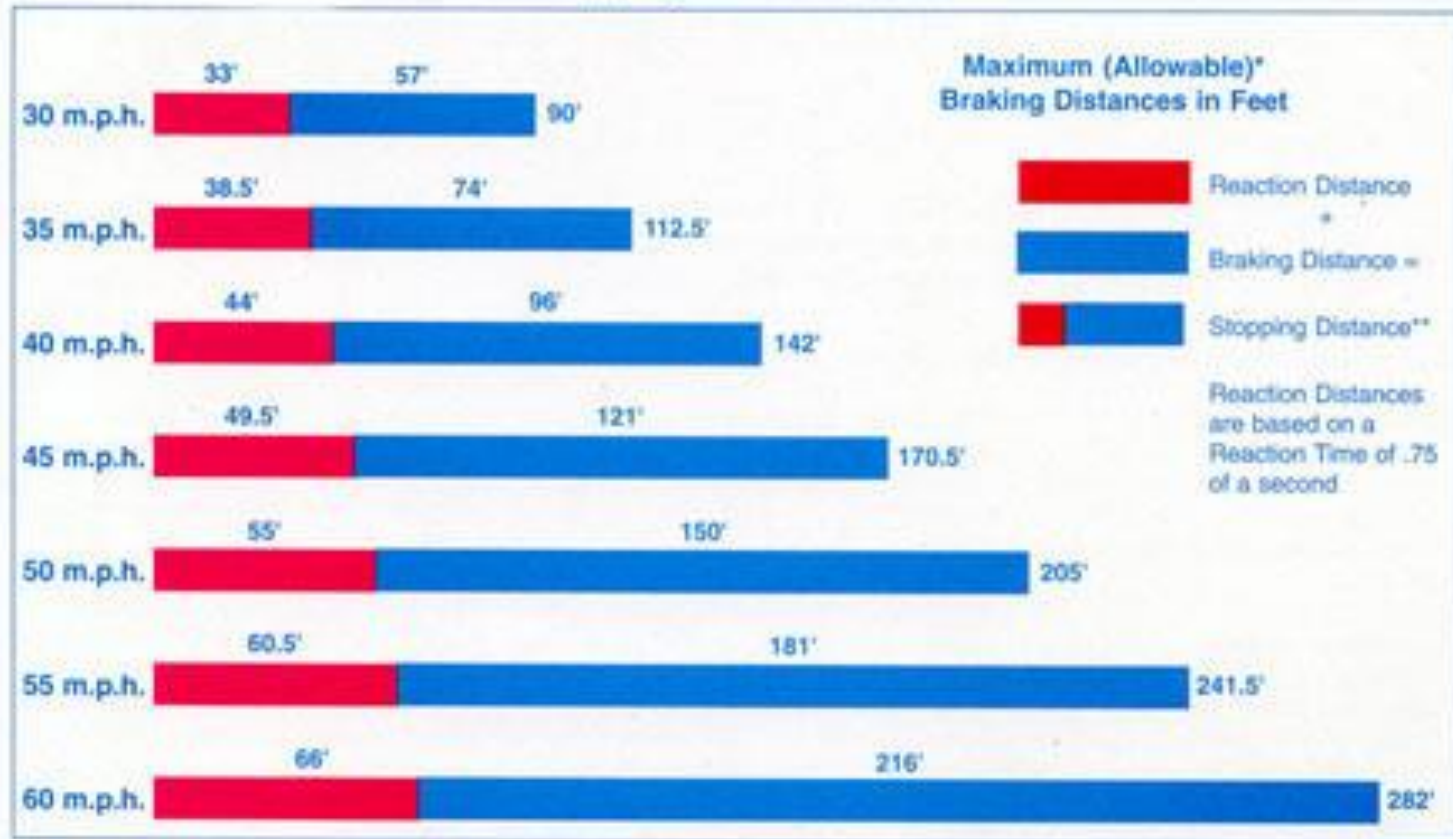
- **VIOLATOR, NOT OFFICER, INITIATES PURSUIT**
- **COMMUNICATION TACTICS**
  - **ALWAYS USE SHORT, PRECISE SENTENCES**
  - **USE PLAIN ENGLISH**
  - **IDENTIFY YOURSELF**
  - **DESCRIPTION OF FLEEING VEHICLE (ANY IDENTIFIABLE MARKINGS, STICKERS ETC...)**
  - **NUMBER OF OCCUPANTS**
  - **REASON PURSUIT INITIATED**
  - **DIRECTION OF TRAVEL**

# SAFETY CONSIDERATIONS

- **FOLLOWING DISTANCES**
  - “PRESSURE TACTIC” - ONLY USE FOR SHORT TIME
  - PRESSURE TACTIC NOT EFFECTIVE, BACK-OFF TO 3-4 SECONDS
- **ALWAYS LEAVE YOURSELF AN OUT**
- **GO NO FASTER THAN NECESSARY**
- **MAINTAIN OPTIMUM LINE OF SIGHT**
- **SLOW OR STOP AT ALL INTERSECTIONS- DUE REGARD**
  - **FALL BEHIND AT INTERSECTIONS**
  - **CLOSE GAP IN CURVES**

# STOPPING DISTANCE

Stopping Distance Chart



\* Federal Motor Vehicle Safety Standard (FMVSS) # 105-76 requires all new passenger cars to brake to a stop in no more than the distances above from these speeds.

\*\* Total Stopping Distance is made up of Perception Distance + Reaction Distance + Braking Distance. (These terms are explained on reverse side.)

# **SAFETY CONSIDERATIONS**

- **WEATHER CONDITIONS**
- **TRAFFIC CONDITIONS**
- **POPULATION CONDITIONS**
- **TIME OF DAY/WEEK**
- **ROADWAY DESIGN AND CONDITIONS**
- **VISIBILITY CONDITIONS**
- **VEHICLE FACTORS**
- **HUMAN FACTORS (OFFICER AND VIOLATOR)**



# **SAFETY CONSIDERATIONS**

- **ASSIST ANY INJURED THIRD PARTY**
- **PREPARE TO CHANGE YOUR OBJECTIVE**
- **KNOW YOUR LIMITATIONS AND YOUR VEHICLE'S LIMITATIONS**
- **CONTINUE EVALUATING YOUR "TEST OF REASONABLENESS"**
- **KEEP SUPERVISOR INFORMED**
- **DRIVE WITH DUE REGARD FOR THE SAFETY OF ALL PERSONS !!!!!**

# **INVINCIBILITY SYNDROME**

## **“IT WON’T HAPPEN TO ME.”**

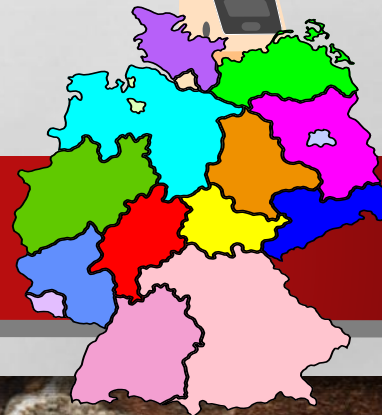
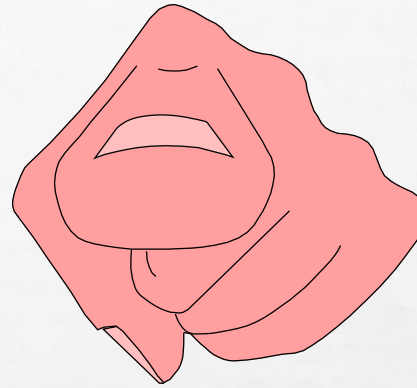
- **OTHER TRAFFIC WILL NOT YIELD RIGHT-OF-WAY**
- **MUST ACKNOWLEDGE AND GIVE TIME FOR PUBLIC TO REACT TO YOUR SIGNALS - PUBLIC NOTIFICATION**
- **OUTRUN YOUR SIREN AT 55 MPH**
- **SUSPECT VEHICLE HAS NO EMERGENCY EQUIPMENT-JUST TRYING TO GET AWAY**
- **WATCH FOR TIMING MANEUVERS**

# **PURSUIT STRATEGIES**

- **LIMIT NUMBER OF UNITS (SEE SOP, USUALLY NO MORE THAN 2-3)**
- **CONSIDER VEHICLE TYPE**
- **NO INTENTIONAL CONTACT UNLESS P.I.T. APPROVED OR POSSIBLE LETHAL FORCE (RAMMING IS CONSIDERED DEADLY FORCE)**
- **EMERGENCY WARNING DEVICES ACTIVATED FOR PUBLIC NOTIFICATION**
- **MAINTAIN GOOD DRIVING TECHNIQUE**
- **DON'T BECOME EMOTIONALLY INVOLVED**

# ROLE OF BACK-UP UNIT

- **DON'T ENGAGE UNLESS AUTHORIZED TO DO SO**
- **ASSIST IN ANY WAY POSSIBLE**
- **#1 PRIORITY-HANDLE ALL RADIO COMMUNICATION**
- **BE PREPARED TO BECOME PRIMARY UNIT**
- **AID ANY INJURED THIRD PARTY**
- **COMMUNICATE WHEN ENTERING ALLIED JURISDICTION**



# **PURSUIT TERMINATION**

- **FAILURE TO STOP IS NOT A PURSUIT**
- **LONGER PURSUIT = INCREASED RISK TO EVERYONE**
- **DOES RISK OUTWEIGH GAIN?**
- **SAFETY OF PUBLIC, SUSPECT, OFFICER**
- **TACTICAL CONSIDERATIONS**
- **PSYCHOLOGICAL CONSIDERATIONS**
- **MEDICAL AID**
- **PAPERWORK**



# TERMINATING PURSUIT “WITHOUT” APPREHENSION

- SUSPECT HAS BEEN IDENTIFIED
- SUPERVISOR CALLS PURSUIT OFF
- TRAFFIC MAKES CONTINUING UNSAFE
- MECHANICAL MALFUNCTIONS
- LOSE SUSPECT’S VEHICLE FOR EXTENDED PERIOD OF TIME
- PURSUIT OF “KNOWN” UNDERAGE DRIVER -JUVENILE
- **DANGER OUTWEIGHS VIOLATION - THE LONGER THE PURSUIT THE HIGHER THE RISK**

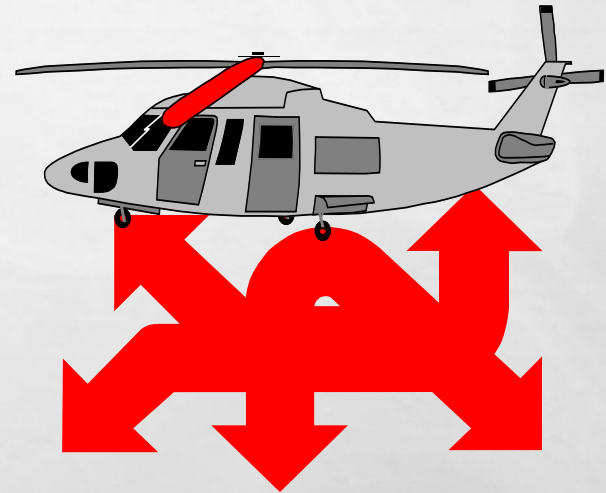
# TERMINATION WITH APPREHENSION

- **COMMUNICATE WITH DISPATCH ALL PERTINENT INFORMATION**
  - **SPECIFIC LOCATION**
  - **ANY SUSPECTS FLEEING ON FOOT, IF SO CLOTHING DESCRIPTION AND DIRECTION ETC...**
- **STEPS FOR USE OF FORCE USING HIGH-RISK OR FELONY VEHICLE STOP PROCEDURES**
  - **CUSTODY OF SUSPECTS**
  - **CLEARING VEHICLE**
  - **PUBLIC SAFETY**
- **SECURING SCENE AND TRANSPORT SUSPECTS**



# AIR UNIT AVAILABILITY

- **IF AIR UNIT IS AVAILABLE:**
  - **MAKE SURE ALL UNITS CAN RECEIVE TRANSMISSION FROM AIR UNIT (POLICE HELICOPTER OR MEDIA HELICOPTER)**
  - **IF YES, LET AIR UNIT CALL PURSUIT, IF NO, TRANSMISSION FROM AIR TO DISPATCH MAY BE TOO SLOW. BACK-UP UNIT REMAIN CALLING DIRECTIONS**



# **PURSUIT RAGE**

**A PSYCHOLOGICAL AND PHYSIOLOGICAL RESPONSE TO STRESS**

**THE NATURAL REACTION TO BECOME EMOTIONALLY INVOLVED**

**AN INHERENT DESIRE TO RUSH A CAR AT THE END OF A PURSUIT,  
DISREGARDING TACTICS AND SAFETY**

# **STRESS**

- **EUSTRESS - HELPFUL**
- **DISTRESS - HARMFUL**
- **ADRENALINE – CHEMICAL RELEASED DURING STRESS**
  - **FIGHT, FLIGHT, OR FREEZE**
  - **“RUSH” SIMILAR TO RACE CAR DRIVER OR FIGHTER PILOT**



# CAUSES OF PURSUIT STRESS

- **EGO**
  - **PERSONAL**
  - **TRAINING**
  - **EMOTIONS**
  - **NOT RECOGNIZING SIGN**
- **TRAFFIC CONDITIONS**
- **WEATHER CONDITIONS**
- **LACK OF INFORMATION**
- **ANXIETY/PRESSURE – FROM SELF AND OTHERS**
- **SENSORY OVERLOAD**





# **TYPICAL BODY REACTIONS TO STRESS**

- **INCREASED HEART RATE AND BLOOD PRESSURE**
- **TUNNEL VISION**
- **AUDITORY EXCLUSION**
- **CHANGES IN RESPIRATION**
- **DRY MOUTH**
- **MUSCLE TENSION**
- **REVERT TO PRIMITIVE BRAIN FUNCTIONS**

# STRESS RESULTS

- **FORGET TACTICS**
- **POOR COMMUNICATION**
- **FAILURE TO RESPOND TO STIMULUS**
- **HESITATION AND INAPPROPRIATE OR DELAYED DECISIONS**
- **UNPROFESSIONALISM**
- **NEGLIGENCE – FAILURE TO CONFORM TO REASONABLE OFFICER STANDARD**
- **FIGHT, FLIGHT, OR FREEZE**
- **DEADLY MISTAKES**
- **LONGER PURSUIT = HIGHER STRESS/RAGE**

11090 2:28 521  
01/23/2008 LSB 11:53:05



# OVERCOMING STRESS

- **RELAXATION TECHNIQUES**
  - **BREATHING**
  - **SELF-TALK**
  - **VISUALIZATION**
- **TRAINING**
- **AVOID PERSONALIZATION**
- **KNOW YOURSELF**
  - **PERSONALITY STYLE**
  - **MOOD**
  - **LIMITATION**
- **REMOVE SELF FROM SITUATION**
- **PEER SUPPORT/COUNSELING**

# **STRESS AT PURSUIT TERMINATION**

- **DON'T RUSH VEHICLE**
  - **HIGH RISK STOP IF APPROPRIATE**
  - **PRIMARY OFFICER BECOME ASSISTING OFFICER**
  - **LIMIT NUMBER OF UNITS**
  - **SUPERVISOR OVERSIGHT AND DIRECTION**
- **REMEMBER TACTICS**
- **TIME IS A FRIEND**
- **COMMUNICATION AND PAPERWORK**
- **PROFESSIONALISM**

# **STRESS AFTER PURSUIT**

- **MAY NEED TO DEBRIEF**
  - **NOT AN OFFICIAL MEETING**
  - **PEER TO PEER, CISM, OR EAP**
- **BRAVADO AND MACHISMO**
- **DWELLING ON INCIDENT**
- **MONDAY MORNING QUARTERBACKING**
- **MEDIA AND SOCIAL MEDIA ATTENTION**